

## REMARKS

The Office Action dated March 30, 2004, has been received and carefully considered. In this response, claims 31 and 33 have been amended. Support for the amendments to the claims may be found in the specification and figures as originally filed. No new matter is introduced by these amendments. Reconsideration of the outstanding rejections in the present application is therefore respectfully requested based on the following remarks.

### **Allowability of Claims 16-18 and 30-32**

The Applicants note with appreciation the Examiner's indication at page 9 of the Office Action that claims 16-18 and 30-32 are allowable.

### **Antecedent Rejection of Claim 31**

At page 4 of the Office Action, claim 31 was rejected under 35 U.S.C. § 112, second paragraph, as having insufficient antecedent basis for the phrase "the first splice countdown value." Claim 31 has been amended to recite the phrase "the third splice countdown value," antecedent support for which may be found in claim 30. Withdrawal of this rejection therefore is respectfully requested.

### **Obviousness Rejection of Claims 1-4, 6-9, 21-24, 26-29 and 35-39**

At page 4 of the Office Action, claims 1-4, 6-9, 21-24, 26-29 and 35-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyamoto (U.S. Patent No. 6,414,954) in view of Teichmer (U.S. Patent No. 6,380,991). This rejection is hereby respectfully traversed.

Claim 1, from which claims 2-9 and 11-15 depend, and claim 35, from which claims 36 and 37 depend, recite, in part, the limitations of determining a new packet identifier when, in response to detecting the first splice indicator, it is determined that a first splice state has been encountered, *wherein the first splice state is based upon a first splice countdown value parsed by the transport packet demultiplexer hardware*. The Applicants respectfully submit that neither the current Office Action nor the previous Office Action demonstrate how either Miyamoto or Teichmer disclose or suggest at least these limitations. In fact, the present and previous Office

Actions do not discuss these limitations to any extent. Accordingly, it is respectfully submitted that the Examiner has failed to establish that the combination of Miyamoto and Teichmer discloses or suggests each and every limitation of claims 1 and 35. The Examiner therefore has failed to demonstrate how the combination of Miyamoto and Teichmer discloses or suggest each and every limitation of claims 2-9, 11-15 and 36-38 at least by virtue of their dependency on one of claims 1 and 35. Furthermore, these claims recite additional limitations that are not disclosed or even suggested by the cited references taken either alone or in combination.

Claim 21, from which claims 22-29 depend, recites, in part, the limitations of detecting a third splice indicator using transport packet demultiplexer hardware and requesting acquisition of a current program management table in response to the third splice indicator. Claim 39 recites similar limitations. The Applicants respectfully submit that the Office Action fails to demonstrate how the combination of Miyamoto and Teichmer disclose at least these limitations. In fact, none of the cited references disclose or suggest these limitations, among others, as admitted by the Examiner at page 9 of the Office Action. Thus, it is respectfully submitted the combination of Miyamoto and Teichmer fails to disclose each and every limitation of claims 21 and 39 and further fails to disclose or suggest each and every limitation of claims 22-29 at least by virtue of their dependency from claim 21. Moreover, these claims recite additional limitations that are not disclosed or even suggested by the cited references taken either alone or in combination.

Accordingly, it is respectfully submitted that the obviousness rejection of claims 1-4, 6-9, 21-24, 26-29 and 35-39 is improper at this time and the withdrawal of this rejection therefore is respectfully requested.

#### **Obviousness Rejection of Claims 5, 11-15, 19, 20, 25, 33 and 34**

At page 7 of the Office Action, claims 5, 11-15, 19, 20, 25, 33 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyamoto in view of Teichmer and further in view of Chen (U.S. Patent No. 5,917,830). This rejection is hereby respectfully traversed.

Claims 5, 11-15, 19 and 20 depend from claim 1. As noted above, the Examiner has failed to establish that the combination of Miyamoto and Teichmer discloses or even suggests at least the limitations of determining a new packet identifier when, in response to detecting the

first splice indicator, it is determined that a first splice state has been encountered, *wherein the first splice state is based upon a first splice countdown value parsed by the transport packet demultiplexer hardware* as recited in claim 1. It is also respectfully submitted that the Examiner has failed to demonstrate that Chen discloses these limitations. Accordingly, the Applicants respectfully submit that the Office Action fails to establish that the proposed combination of Miyamoto, Teichmer and Chen discloses or suggests each and every limitation of claims 5, 11-15, 19 and 20 at least by virtue of their dependency from claim 1.

Claim 25 depends from claim 21. As noted above, the Examiner has failed to establish that the combination of Miyamoto and Teichmer discloses or suggests at least the limitations of detecting a third splice indicator using transport packet demultiplexer hardware and requesting acquisition of a current program management table in response to the third splice indicator as recited by claim 25. It is also respectfully submitted that the Examiner has failed to demonstrate that Chen discloses or suggests these limitations. Accordingly, the Applicants respectfully submit that the Office Action fails to establish that the proposed combination of Miyamoto, Teichmer and Chen discloses or suggests each and every limitation of claim 25 at least by virtue of its dependency from claim 21.

Claim 33 has been amended to depend from allowable claim 30. Claim 34 depends from claim 33. Claims 33 and 34 should be allowable as being dependent from allowable claim 30.

Accordingly, it is respectfully submitted that the obviousness rejection of claims 5, 11-15, 19, 20, 25, 33 and 34 is improper at this time and the withdrawal of this rejection therefore is respectfully requested.

## **Conclusion**

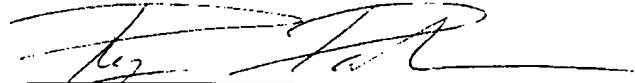
In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

PATENT

The Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

June 1, 2004  
Date

  
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